

Exhibit 1
(Emails from Class Counsel
to Sparacino PLLC)

Joshua P. Davis

From: Joshua P. Davis
Sent: Tuesday, August 29, 2023 3:47 PM
To: Eli Kay-Oliphant
Cc: Eric L. Cramer; Ryan Sparacino; Benjamin Brown
Subject: RE: UFC Antitrust Litigation

Eli,

We are disappointed in your change in position. When we approached you after the status conference, you expressed a willingness to talk in an effort to work out a mutually acceptable approach to protect the legal rights of the absent class members. We made clear that we were not issuing any threats. No one proposed any preconditions to a follow-up conversation, much less the ones you set forth below. Your email message suggests you are not willing to go forward with the agreed discussion at this time.

As to your unfounded allegations, we have support for all the positions we have in taken our filings, including that you continued to contact class members at a time and in a manner inconsistent with the commitment you made. We of course have no obligation to respond to your request for information relevant to a potential (baseless) Rule 11 motion. If we determine that our clients' interests are best served by the presentation of additional evidence, we will decide the appropriate time and manner for presenting it. But let us be clear: We do not make unfounded allegations. We also note it is ironic that you alleged in your filing on Monday that we had engaged in "perceived inappropriate and coercive actions" (whatever that means) and "extortionate acts"—which appear to consist of nothing more than bringing your conduct to the attention of the Court—while you have responded to our effort at civility and constructive engagement by threatening what would be a meritless Rule 11 motion.

Nonetheless, we remain open to constructive engagement without preconditions if you change your mind again. Meanwhile, the District Court directed us to renew our request for relief by Oct. 24, 2023 if we choose to do so. Please let us know if you would like to meet and confer about a briefing schedule.

Best,

Josh

From: Eli Kay-Oliphant <eli.kay-oliphant@sparacinopllc.com>
Sent: Wednesday, August 23, 2023 8:54 AM
To: Joshua P. Davis <jdavis@bm.net>
Cc: Eric L. Cramer <ecramer@bm.net>; Ryan Sparacino <ryan.sparacino@sparacinopllc.com>
Subject: RE: UFC Antitrust Litigation

Josh,

Would you please send me in writing your Rule 11 basis for submitting to the Court (a) "Plaintiffs are informed and believe that the Sparacino firm has, during the pendency of the class motion in Le, continued to contact members of the Class in Le", (b) anything we communicated to putative class members was misleading, (c) any putative class members were misled, and (d) what in our communications could be construed to mean putative class members "had to hire the Sparacino firm and later opt out to participate in the class recovery".

To be clear: We do not think your submission had a basis in law, and we know your factual assertions do not “have evidentiary support” and thus believe you made them without making “an inquiry reasonable under the circumstances,” per Fed. R. Civ. P. 11(b). We also believe your filing was “presented for [the] improper purpose,” *id.*, of trying (again) to coerce us to abandon representation of our clients.

Once you've sent us an explanation per the above, we would be willing to speak, and we can schedule thereafter. But we think in order to have a full discussion we need to first understand your basis for what you submitted.

Thank you,

Eli

From: Joshua P. Davis <jdavis@bm.net>
Sent: Tuesday, August 22, 2023 1:04 PM
To: Eli Kay-Oliphant <eli.kay-oliphant@sparacinoplhc.com>
Cc: Eric L. Cramer <ecramer@bm.net>
Subject: UFC Antitrust Litigation

Eli,

I am following up on our discussion after the status conference yesterday. When would you be available to talk later this week or early next week?

Best,

Josh

Joshua P. Davis / *Shareholder / Research Professor UC College of the Law SF*

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